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I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231,

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5/10/99 J. DiLullo
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Docket No.: 1010/16959-US4



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Howard L. **WEINER** et al.

Serial No.: 08/469,492

Art Unit: 1645

Filed: June 6, 1995

Examiner: P. Duffy

For: **BYSTANDER SUPPRESSION OF AUTOIMMUNE DISEASES**

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated November 9, 1998 of the Primary Examiner finally rejecting claims 37-39, 42-49, 52-57 and 59-65.

The item(s) checked below are applicable:

05/14/1999 MBLAND 00000054 08469492

02 FC:119

300.00 OP

1. ☒ [X] An extension of time to respond to the final rejection is required: a petition and fee of \$870.00 are enclosed.
2. ☐ [] A timely response to the final rejection has been filed.
3. ☒ [X] Fee \$300.00: ☐ [] Fee \$150.00 (small entity):
☒ [X] Enclosed
☐ [] Not required (fee paid in prior appeal)
☒ [X] Charge any deficiency to Deposit Account No. 04-0100

Respectfully submitted,



Howard M. Frankfort
Reg. No. 32,613
Agent for Applicants

Dated: May 10, 1999

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